

Senate File 283 - Introduced

SENATE FILE 283

BY DONAHUE

A BILL FOR

1 An Act prohibiting the declawing of cats, and providing
2 penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 169B.1 Definitions.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Cat" means a domesticated animal classified as belonging
5 to the family felidae, subfamily felinae, and genus felis.

6 2. a. "Declawing procedure" means any of the following:

7 (1) A procedure referred to as onychectomy, dactylectomy,
8 phalangectomy, or tendonectomy.

9 (2) A procedure that removes a portion of the paw or digit
10 of an animal in order to remove an animal's claw.

11 (3) A procedure that cuts or modifies the tendon of the
12 limb, paw, or digit of an animal in order to prohibit the
13 normal movement of a claw.

14 (4) A procedure that prevents the normal functioning of one
15 or more claws of an animal.

16 b. "Declawing procedure" does not mean nail filing, nail
17 trimming, or the placement of temporary nail caps on an
18 animal's claw.

19 3. a. "Therapeutic purpose" means any action to address an
20 existing or recurring infection, disease, injury, or abnormal
21 condition in a claw, nail bed, or toe bone that jeopardizes
22 the health of an animal and treating the infection, disease,
23 injury, or abnormal condition constitutes a medical necessity.

24 b. "Therapeutic purpose" does not mean an action performed
25 for cosmetic or aesthetic reasons or reasons of convenience in
26 the keeping or handling of an animal.

27 Sec. 2. NEW SECTION. 169B.2 Prohibition — exception for
28 therapeutic purpose.

29 1. A person shall not perform a declawing procedure on a
30 cat.

31 2. Subsection 1 does not apply to a licensed veterinarian
32 who performs a declawing procedure on a cat for a therapeutic
33 purpose.

34 Sec. 3. NEW SECTION. 169B.3 Civil penalty — scheduled
35 violation.

1 A violation of section 169B.2 is punishable as a scheduled
2 violation under section 805.8C.

3 Sec. 4. NEW SECTION. 169B.4 Enforcement.

4 This chapter may be enforced by any of the following:

5 1. A regularly employed member of a police force of a city
6 or county, including a sheriff, who is responsible for the
7 prevention and detection of crime and the enforcement of the
8 criminal laws of this state.

9 2. A peace officer member of the department of public safety
10 as defined in chapter 80.

11 Sec. 5. Section 805.8C, Code 2023, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 15. *Cat declawing.*

14 a. For a violation of section 169B.2, the scheduled fine
15 is a civil penalty. The amount of the scheduled fine is as
16 follows:

17 (1) For an initial violation, the person shall be subject to
18 a civil penalty in the amount of five hundred dollars.

19 (2) For a second violation committed within two years, the
20 person shall be subject to a civil penalty in the amount of one
21 thousand five hundred dollars.

22 (3) For a third or subsequent violation committed within
23 five years, the person shall be subject to a civil penalty in
24 the amount of two thousand five hundred dollars.

25 b. The amount of the civil penalty shall be deposited as
26 follows:

27 (1) In the general fund of the county or city if the
28 violation is enforced by a law enforcement officer of the
29 county or city.

30 (2) In the general fund of the state if the violation is
31 enforced by a peace officer member of the department of public
32 safety as defined in chapter 80.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 This bill prohibits a person from declawing a cat unless
2 the procedure is performed by a licensed veterinarian for
3 a therapeutic purpose (new Code chapter 169B). A person
4 who violates the provision is subject to a range of civil
5 penalties from \$500 for an initial violation, \$1,500 for a
6 second violation within two years, and \$2,500 for a third
7 or subsequent violation within five years. The offense is
8 punishable as a scheduled violation, in which the amount of
9 the civil penalty is deposited into the general fund of the
10 county, city, or state depending upon the enforcement officer's
11 jurisdiction.